

Attorney Docket No.
11321-P011 Series



AMENDED DECLARATION AND POWER OF ATTORNEY FOR
U.S. NATIONAL PHASE PATENT APPLICATION
CLAIMING PRIORITY TO PCT APPLICATION
(37 CFR 1.63)

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JUL 14 2003
GROUP 1700

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe that we are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**MACROSCOPICALLY MANIPULATE NANOSCALE DEVICES MADE FROM
NANOTUBE ASSEMBLIES**

the specification of which:

is attached hereto; or

was filed on November 30, 2001 as a Continuation Application Number 10/000,746 (Attorney Docket No. 11321-P011WUC1) of U.S. National Phase of 09/242,040 and PCT Application Number PCT/US97/13896 which published as WO 98/05920 on February 12, 1998, corresponding to United States Provisional Patent Application No. 60/023,732, filed August 8, 1996.

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Appl. Serial No.	Att. Docket No.	Continuity Type:	Filing Date:
10/028,231	11321-P011C1D1	Divisional	December 21, 2001
10/027,671	11321-P011C1D2	Divisional	December 21, 2001
10/038,204	11321-P011C1D3	Divisional	December 21, 2001
10/027,753	11321-P011C1D4	Divisional	December 21, 2001
10/036,684	11321-P011C1D5	Divisional	December 21, 2001
10/027,670	11321-P011C1D6	Divisional	December 21, 2001
10/027,750	11321-P011C1D7	Divisional	December 21, 2001
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10/027,628	11321-P011C1D9	Divisional	December 21, 2001
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PCT/US97/13896	8 August 1997	WO 98/05920

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100 Congress Avenue, Suite 800
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and direct all telephone calls to **Ross Spencer Garsson, Esq.** at 512-370-2870 and all facsimile communications to 512-370-2850.

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FULL NAME OF FIRST INVENTOR: **COLBERT, Daniel T.**

INVENTOR'S SIGNATURE: _____ **DATE:** _____

RESIDENCE: **1911 Milford St., Houston, TX 77098 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: (Same as Residence)

Attorney Docket No.
11321-P011 Series

FULL NAME OF SECOND INVENTOR: **DAI, Hongjie**

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **365 Pescadero Terrace, Sunnyvale, CA 94086 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF THIRD INVENTOR: **HAFNER, Jason H.**

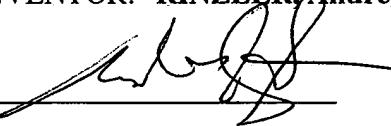
INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **373 Highland Ave. #203, Somerville, Massachusetts 02144 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF FOURTH INVENTOR: **RINZLER, Andrew G.**

INVENTOR'S SIGNATURE:  DATE: 6/19/03

RESIDENCE: **1713 SW 186th St., Newberry, Florida 32669 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF FIFTH INVENTOR: **SMALLEY, Richard E.**

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **1816 Bolsover St., Houston, TX 77081 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: (Same as Residence)

Attorney Docket No.
11321-P011 Series

FULL NAME OF SIXTH INVENTOR: JIE LIU

INVENTOR'S SIGNATURE: _____

DATE: _____

**RESIDENCE: 5825 Gulfton, Apartment 3214
Houston, Texas 77081**

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF SEVENTH INVENTOR: KENNETH A. SMITH

INVENTOR'S SIGNATURE: _____

DATE: _____

**RESIDENCE: 333 Dominion, Apartment 1334
Katy, Texas 77450**

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF EIGHTH INVENTOR: TING GUO

INVENTOR'S SIGNATURE: _____

DATE: _____

**RESIDENCE: 2612 Calder Court
Davis, California 95616**

CITIZENSHIP: CHINA

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF NINTH INVENTOR: PAVEL NIKOLAEV

INVENTOR'S SIGNATURE: _____

DATE: _____

**RESIDENCE: 2232 ½ TROON
Houston, Texas 77019**

CITIZENSHIP: RUSSIA

POST OFFICE ADDRESS: (Same as Residence)

Attorney Docket No.
11321-P011 Series

FULL NAME OF TENTH INVENTOR: ANDREAS THESS

INVENTOR'S SIGNATURE: _____ **DATE:** _____

RESIDENCE: **Max-Planck-Institut Biochemie; Abteilung Molekulare,
Strukturbioologie am Klopferspitz 189, D-82152 Martinsried, Germany**

CITIZENSHIP: GERMANY

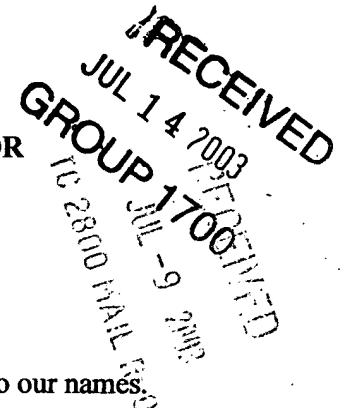
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AUSTIN_1\208783\1
11321-P011WUC1 02/19/2003

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CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: (Same as Residence)

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INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: 365 Pescadero Terrace, Sunnyvale, CA 94086 USA

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: 373 Highland Ave. #203, Somerville, Massachusetts 02144 USA

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INVENTOR'S SIGNATURE:  DATE: 2/20/03

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FULL NAME OF FIRST INVENTOR: **COLBERT, Daniel T.**

INVENTOR'S SIGNATURE: 

DATE: 2/25/03

RESIDENCE: **1911 Milford St., Houston, TX 77098 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: (Same as Residence)

Attorney Docket No.
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FULL NAME OF SECOND INVENTOR: DAI, Hongjie

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: 365 Pescadero Terrace, Sunnyvale, CA 94086 USA

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: 373 Highland Ave. #203, Somerville, Massachusetts 02144 USA

CITIZENSHIP: United States of America

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POST OFFICE ADDRESS: **(Same as Residence)**

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FULL NAME OF SEVENTH INVENTOR: **KENNETH A. SMITH**

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RESIDENCE: **2232 ½ TROON**
Houston, Texas 77019

CITIZENSHIP: **RUSSIA**

POST OFFICE ADDRESS: **(Same as Residence)**

Attorney Docket No.
11321-P011 Series

FULL NAME OF TENTH INVENTOR: ANDREAS THESS

INVENTOR'S SIGNATURE: _____ **DATE:** _____

**RESIDENCE: Max-Planck-Institut Biochemie; Abteilung Molekulare,
Strukturbioologie am Klopferspitz 189, D-82152 Martinsried, Germany**

CITIZENSHIP: GERMANY

POST OFFICE ADDRESS: (Same as Residence)

AUSTIN_1\208783\1
11321-P011WUC1 02/19/2003

Attorney Docket No.
11321-P011 Series



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**AMENDED DECLARATION AND POWER OF ATTORNEY FOR
U.S. NATIONAL PHASE PATENT APPLICATION
CLAIMING PRIORITY TO PCT APPLICATION
(37 CFR 1.63)**

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe that we are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**MACROSCOPICALLY MANIPULATE NANOSCALE DEVICES MADE FROM
NANOTUBE ASSEMBLIES**

the specification of which:

is attached hereto; or

was filed on November 30, 2001 as a Continuation Application Number 10/000,746 (Attorney Docket No. 11321-P011WUC1) of U.S. National Phase of 09/242,040 and PCT Application Number PCT/US97/13896 which published as WO 98/05920 on February 12, 1998, corresponding to United States Provisional Patent Application No. 60/023,732, filed August 8, 1996.

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Appl Serial No.	Att. Docket No.	Continuity Type:	Filing Date:
10/028,231	11321-P011C1D1	Divisional	December 21, 2001
10/027,671	11321-P011C1D2	Divisional	December 21, 2001
10/038,204	11321-P011C1D3	Divisional	December 21, 2001
10/027,753	11321-P011C1D4	Divisional	December 21, 2001
10/036,684	11321-P011C1D5	Divisional	December 21, 2001
10/027,670	11321-P011C1D6	Divisional	December 21, 2001
10/027,750	11321-P011C1D7	Divisional	December 21, 2001
10/027,726	11321-P011C1D8	Divisional	December 21, 2001
10/027,628	11321-P011C1D9	Divisional	December 21, 2001
10/027,668	11321-P011CD10	Divisional	December 21, 2001
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Attorney Docket No.
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				Yes	No
[ORIGINAL BASE/PRIORITY APPLICATION]			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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60/023,732

Official Filing Date
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U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
PCT/US97/13896	8 August 1997	WO 98/05920

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Hugh R. Kress, Reg. No. 36,574
Robert C. Shaddox, Reg. No. 34,011
Henry L. Ehrlich, Reg. No. 39,663
Timothy M. Donoughue, Reg. No. 46,668
Reece A. Scott, Reg. No. 41,297
Edward T. Mickelson, Reg. No. 50,413

of the law firm of **WINSTEAD SECHREST & MINICK P.C.** Please direct all correspondence to:

Ross Spencer Garsson, Esq.
WINSTEAD SECHREST & MINICK P.C.
100 Congress Avenue, Suite 800
Austin, Texas 78701 USA

and direct all telephone calls to **Ross Spencer Garsson, Esq.** at 512-370-2870 and all facsimile communications to 512-370-2850.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST INVENTOR: **COLBERT, Daniel T.**

INVENTOR'S SIGNATURE: _____ **DATE:** _____

RESIDENCE: **1911 Milford St., Houston, TX 77098 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: (Same as Residence)

Attorney Docket No.
11321-P011 Series

FULL NAME OF SECOND INVENTOR: DAI, Hongjie

INVENTOR'S SIGNATURE: Hongjie

DATE: 2/27/03

RESIDENCE: 365 Pescadero Terrace, Sunnyvale, CA 94086 USA

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.

INVENTOR'S SIGNATURE: _____

DATE: _____

RESIDENCE: 373 Highland Ave. #203, Somerville, Massachusetts 02144 USA

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF FOURTH INVENTOR: RINZLER, Andrew G.

INVENTOR'S SIGNATURE: _____

DATE: _____

RESIDENCE: 1713 SW 186th St., Newberry, Florida 32669 USA

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF FIFTH INVENTOR: SMALLEY, Richard E.

INVENTOR'S SIGNATURE: _____

DATE: _____

RESIDENCE: 1816 Bolsover St., Houston, TX 77081 USA

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: (Same as Residence)

**Attorney Docket No.
11321-P011 Series**

FULL NAME OF SIXTH INVENTOR: JIE LIU

INVENTOR'S SIGNATURE: _____

DATE: _____

**RESIDENCE: 5825 Gulfton, Apartment 3214
Houston, Texas 77081**

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF SEVENTH INVENTOR: KENNETH A. SMITH

INVENTOR'S SIGNATURE: _____

DATE: _____

**RESIDENCE: 333 Dominion, Apartment 1334
Katy, Texas 77450**

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF EIGHTH INVENTOR: TING GUO

INVENTOR'S SIGNATURE: _____

DATE: _____

**RESIDENCE: 2612 Calder Court
Davis, California 95616**

CITIZENSHIP: CHINA

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF NINTH INVENTOR: PAVEL NIKOLAEV

INVENTOR'S SIGNATURE: _____

DATE: _____

**RESIDENCE: 2232 1/2 TROON
Houston, Texas 77019**

CITIZENSHIP: RUSSIA

POST OFFICE ADDRESS: (Same as Residence)

Attorney Docket No.
11321-P011 Series

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INVENTOR'S SIGNATURE: _____ DATE: _____

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Attorney Docket No.
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INVENTOR'S SIGNATURE: _____ **DATE:** _____

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CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: (Same as Residence)

Attorney Docket No.
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FULL NAME OF SECOND INVENTOR: DAI, Hongjie

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: 365 Pescadero Terrace, Sunnyvale, CA 94086 USA

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.

INVENTOR'S SIGNATURE:  DATE: 03/06/03

RESIDENCE: 373 Highland Ave. #203, Somerville, Massachusetts 02144 USA

3610 Underwood, Houston, Texas, 77025, USA

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FULL NAME OF FOURTH INVENTOR: RINZLER, Andrew G.

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FULL NAME OF FIFTH INVENTOR: SMALLEY, Richard E.

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FULL NAME OF FIRST INVENTOR: **COLBERT, Daniel T.**

INVENTOR'S SIGNATURE: _____ **DATE:** _____

RESIDENCE: **1911 Milford St., Houston, TX 77098 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: (Same as Residence)

Attorney Docket No.
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FULL NAME OF SECOND INVENTOR: **DAI, Hongjie**

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **365 Pescadero Terrace, Sunnyvale, CA 94086 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF THIRD INVENTOR: **HAFNER, Jason H.**

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **373 Highland Ave. #203, Somerville, Massachusetts 02144 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF FOURTH INVENTOR: **RINZLER, Andrew G.**

INVENTOR'S SIGNATURE: _____ DATE: _____

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INVENTOR'S SIGNATURE: 

DATE: 02/21/03

RESIDENCE: ~~5825 Gulfton, Apartment 3214
Houston, Texas 77081~~ ~~502 Westminster Drive
Chapel Hill, North Carolina 27514~~ *SL 02/21/03*

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF SEVENTH INVENTOR: **KENNETH A. SMITH**

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DATE: _____

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Davis, California 95616**

CITIZENSHIP: CHINA

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF NINTH INVENTOR: **PAVEL NIKOLAEV**

INVENTOR'S SIGNATURE: _____

DATE: _____

RESIDENCE: **2232 ½ TROON
Houston, Texas 77019**

CITIZENSHIP: RUSSIA

POST OFFICE ADDRESS: (Same as Residence)

Attorney Docket No.
11321-P011 Series

FULL NAME OF TENTH INVENTOR: ANDREAS THESS

INVENTOR'S SIGNATURE: _____ DATE: _____

**RESIDENCE: Max-Planck-Institut Biochemie; Abteilung Molekulare,
Strukturbioologie am Klopferspitz 189, D-82152 Martinsried, Germany**

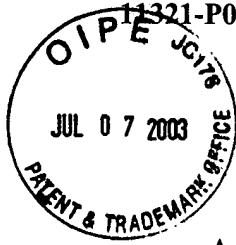
CITIZENSHIP: GERMANY

POST OFFICE ADDRESS: (Same as Residence)

AUSTIN_1\208783\1
11321-P011WUC1 02/19/2003

Attorney Docket No.

11321-P011 Series



AMENDED DECLARATION AND POWER OF ATTORNEY FOR
U.S. NATIONAL PHASE PATENT APPLICATION
CLAIMING PRIORITY TO PCT APPLICATION
(37 CFR 1.63)

RECEIVED

JUL 14 2003

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Appl Serial No.	Att. Docket No.	Continuity Type:	Filing Date:
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10/038,204	11321-P011C1D3	Divisional	December 21, 2001
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10/036,684	11321-P011C1D5	Divisional	December 21, 2001
10/027,670	11321-P011C1D6	Divisional	December 21, 2001
10/027,750	11321-P011C1D7	Divisional	December 21, 2001
10/027,726	11321-P011C1D8	Divisional	December 21, 2001
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[ORIGINAL BASE/PRIORITY APPLICATION]			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
PCT/US97/13896	8 August 1997	WO 98/05920

**Attorney Docket No.
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Robert C. Shaddox, Reg. No. 34,011
Henry L. Ehrlich, Reg. No. 39,663
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Austin, Texas 78701 USA

and direct all telephone calls to **Ross Spencer Garsson, Esq.** at 512-370-2870 and all facsimile communications to 512-370-2850.

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FULL NAME OF FIRST INVENTOR: **COLBERT, Daniel T.**

INVENTOR'S SIGNATURE: _____ **DATE:** _____

RESIDENCE: **1911 Milford St., Houston, TX 77098 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: (Same as Residence)

Attorney Docket No.
11321-P011 Series

FULL NAME OF SECOND INVENTOR: DAI, Hongjie

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: 365 Pescadero Terrace, Sunnyvale, CA 94086 USA

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: 373 Highland Ave. #203, Somerville, Massachusetts 02144 USA

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF FOURTH INVENTOR: RINZLER, Andrew G.

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: 1713 SW 186th St., Newberry, Florida 32669 USA

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF FIFTH INVENTOR: SMALLEY, Richard E.

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: 1816 Bolsover St., Houston, TX 77081 USA

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: (Same as Residence)

Attorney Docket No.
11321-P011 Series

FULL NAME OF SIXTH INVENTOR: JIE LIU

INVENTOR'S SIGNATURE: _____

DATE: _____

RESIDENCE: **5825 Gulfton, Apartment 3214**
Houston, Texas 77081

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF SEVENTH INVENTOR: **KENNETH A. SMITH**

INVENTOR'S SIGNATURE: Kenneth A. Smith DATE: 2-25-03

RESIDENCE: **333 Dominion, Apartment 1334**
Katy, Texas 77450

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF EIGHTH INVENTOR: **TING GUO**

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **2612 Calder Court**
Davis, California 95616

CITIZENSHIP: CHINA

POST OFFICE ADDRESS: (Same as Residence)

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INVENTOR'S SIGNATURE: _____ DATE: _____

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Houston, Texas 77019

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INVENTOR'S SIGNATURE: _____ **DATE:** _____

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CITIZENSHIP: United States of America

POST OFFICE ADDRESS: (Same as Residence)

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FULL NAME OF SECOND INVENTOR: DAI, Hongjie

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RESIDENCE: 365 Pescadero Terrace, Sunnyvale, CA 94086 USA

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: 373 Highland Ave. #203, Somerville, Massachusetts 02144 USA

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11921-P011 Series

FULL NAME OF SIXTH INVENTOR: JIE LIU

INVENTOR'S SIGNATURE: _____

DATE: _____

RESIDENCE: 5825 Gulfton, Apartment 3214
Houston, Texas 77081

CITIZENSHIP: U.S.A.

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RESIDENCE: 333 Dominion, Apartment 1334
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CITIZENSHIP: U.S.A.

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FULL NAME OF EIGHTH INVENTOR: TING GUO

INVENTOR'S SIGNATURE: 

DATE: 4/7/03

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INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: 1911 Milford St., Houston, TX 77098 USA

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: (Same as Residence)

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RESIDENCE: 365 Pescadero Terrace, Sunnyvale, CA 94086 USA

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF THIRD INVENTOR: HAFNER, Jason H.

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: 373 Highland Ave. #203, Somerville, Massachusetts 02144 USA

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FULL NAME OF EIGHTH INVENTOR: TING GUO

INVENTOR'S SIGNATURE: _____

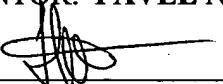
DATE: _____

RESIDENCE: **2612 Calder Court**
Davis, California 95616

CITIZENSHIP: CHINA

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF NINTH INVENTOR: PAVEL NIKOLAEV

INVENTOR'S SIGNATURE: 

DATE: 2.21.03

RESIDENCE: ~~2232 1/2 TROON~~ 614 Kipling #9
~~Houston, Texas 77019~~ Houston, TX 77006 PN

CITIZENSHIP: RUSSIA

POST OFFICE ADDRESS: (Same as Residence)

Attorney Docket No.
11321-P011 Series

FULL NAME OF TENTH INVENTOR: ANDREAS THESS

INVENTOR'S SIGNATURE: _____ **DATE:** _____

RESIDENCE: **Max-Planck-Institut Biochemie; Abteilung Molekulare,
Strukturbioologie am Klopferspitz 189, D-82152 Martinsried, Germany**

CITIZENSHIP: GERMANY

POST OFFICE ADDRESS: (Same as Residence)

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JUL 14 2003

GROUP 1700

Attorney Docket No.
11321-P011 Series

AMENDED DECLARATION AND POWER OF ATTORNEY FOR
U.S. NATIONAL PHASE PATENT APPLICATION
CLAIMING PRIORITY TO PCT APPLICATION
(37 CFR 1.63)



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As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe that we are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**MACROSCOPICALLY MANIPULATE NANOSCALE DEVICES MADE FROM
NANOTUBE ASSEMBLIES**

the specification of which:

is attached hereto; or

was filed on November 30, 2001 as a Continuation Application Number 10/000,746 (Attorney Docket No. 11321-P011WUC1) of U.S. National Phase of 09/242,040 and PCT Application Number PCT/US97/13896 which published as WO 98/05920 on February 12, 1998, corresponding to United States Provisional Patent Application No. 60/023,732, filed August 8, 1996.

The following divisionals of United States Patent Application Serial No. 10/000,746 have been filed (the "Divisional Patent Applications"):

Appl. Serial No.	Att. Docket No.	Continuity Type:	Filing Date:
10/028,231	11321-P011C1D1	Divisional	December 21, 2001
10/027,671	11321-P011C1D2	Divisional	December 21, 2001
10/038,204	11321-P011C1D3	Divisional	December 21, 2001
10/027,753	11321-P011C1D4	Divisional	December 21, 2001
10/036,684	11321-P011C1D5	Divisional	December 21, 2001
10/027,670	11321-P011C1D6	Divisional	December 21, 2001
10/027,750	11321-P011C1D7	Divisional	December 21, 2001
10/027,726	11321-P011C1D8	Divisional	December 21, 2001
10/027,628	11321-P011C1D9	Divisional	December 21, 2001
10/027,668	11321-P011CD10	Divisional	December 21, 2001
10/027,568	11321-P011CD11	Divisional	December 21, 2001

We further believe that we are original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the inventions of these Divisional Patent Applications.

Attorney Docket No.
11321-P011 Series

Collectively, United States Patent Application Serial No. 10/000,746 and the Divisional Patent Applications are the "Applications".

We hereby state that we have reviewed and understand the contents of the above identified specifications for each of the Applications, including the claims. We hereby authorize our attorney, or his representative, to insert the Application Number, filing and amendment dates.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56.

We hereby claim foreign priority benefits for each of the Applications under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
[ORIGINAL BASE/PRIORITY APPLICATION]			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

We hereby claim the benefit for each of the Applications under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

Application No.
60/023,732

Official Filing Date
August 8, 1996

We hereby claim the benefit for each of the Applications under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
PCT/US97/13896	8 August 1997	WO 98/05920

**Attorney Docket No.
11321-P011 Series**

For each of the Divisional Patent Applications, we further claim the benefit under 35 U.S.C. 120 of United States Patent Application Serial No. 10/000,746, and, insofar as the subject matter of each of the claims of any of the Divisional Patent Application is not disclosed in the this prior United States application in the manner provided by the first paragraph of 35 U.S.C. 112, we acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

POWER OF ATTORNEY: As named inventors, we hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Ross Spencer Garsson, Reg. No. 38,150
Hugh R. Kress, Reg. No. 36,574
Robert C. Shaddox, Reg. No. 34,011
Henry L. Ehrlich, Reg. No. 39,663
Timothy M. Donoughue, Reg. No. 46,668
Reece A. Scott, Reg. No. 41,297
Edward T. Mickelson, Reg. No. 50,413

of the law firm of WINSTEAD SECHREST & MINICK P.C. Please direct all correspondence to:

Ross Spencer Garsson, Esq.
WINSTEAD SECHREST & MINICK P.C.
100 Congress Avenue, Suite 800
Austin, Texas 78701 USA

and direct all telephone calls to Ross Spencer Garsson, Esq. at 512-370-2870 and all facsimile communications to 512-370-2850.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST INVENTOR: **COLBERT, Daniel T.**

INVENTOR'S SIGNATURE: _____ **DATE:** _____

RESIDENCE: **1911 Milford St., Houston, TX 77098 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: (Same as Residence)

Attorney Docket No.
11321-P011 Series

FULL NAME OF SECOND INVENTOR: **DAI, Hongjie**

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **365 Pescadero Terrace, Sunnyvale, CA 94086 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF THIRD INVENTOR: **HAFNER, Jason H.**

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **373 Highland Ave. #203, Somerville, Massachusetts 02144 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF FOURTH INVENTOR: **RINZLER, Andrew G.**

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **1713 SW 186th St., Newberry, Florida 32669 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF FIFTH INVENTOR: **SMALLEY, Richard E.**

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **1816 Bolsover St., Houston, TX 77081 USA**

CITIZENSHIP: **United States of America**

POST OFFICE ADDRESS: **(Same as Residence)**

Attorney Docket No.
11321-P011 Series

FULL NAME OF SIXTH INVENTOR: **JIE LIU**

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **5825 Gulfton, Apartment 3214
Houston, Texas 77081**

CITIZENSHIP: **U.S.A.**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF SEVENTH INVENTOR: **KENNETH A. SMITH**

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **333 Dominion, Apartment 1334
Katy, Texas 77450**

CITIZENSHIP: **U.S.A.**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF EIGHTH INVENTOR: **TING GUO**

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **2612 Calder Court
Davis, California 95616**

CITIZENSHIP: **CHINA**

POST OFFICE ADDRESS: **(Same as Residence)**

FULL NAME OF NINTH INVENTOR: **PAVEL NIKOLAEV**

INVENTOR'S SIGNATURE: _____ DATE: _____

RESIDENCE: **2232 ½ TROON
Houston, Texas 77019**

CITIZENSHIP: **RUSSIA**

POST OFFICE ADDRESS: **(Same as Residence)**

**Attorney Docket No.
11321-P011 Series**

FULL NAME OF TENTH INVENTOR: ANDREAS THESS

INVENTOR'S SIGNATURE: Andreas J. B. DATE: 02/26/2003

RESIDENCE: Max-Planck-Institut Biochemie; Abteilung Molekulare, Strukturbioologie am Klopferspitz 189, D-82152 Martinsried, Germany *

CITIZENSHIP: GERMANY

POST OFFICE ADDRESS: (Same as Residence)

AUSTIN_1\208783\1
11321-P011WUC1 02/19/2003

* Andreas Thess' residence:

Andreas Kemmler-Weg 3 02/26/2003
72127 Kusterdingen DR
Germany